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always been justifiable on other grounds, as in the principal case. For purposes of municipal law, the corporate fiction has been respected and the vessels of an English corporation composed of alien stockholders have been held entitled to British registry. *The Queen v. Arnaud*, 16 L. J. Q. B. N. S. 50. Similarly it has just been held that an English corporation, composed almost entirely of alien enemies, can sue in the English courts. *Continental Tyre & Rubber Co. v. Thomas Tilly, Ltd.*, 138 L. T. J. 83. It is submitted that the prize court should likewise refuse to disregard the corporate fiction as to vessels owned by such a corporation. It involves no disregard of the fiction, however, to inquire who the stockholders are, and a rule of prize that vessels owned by corporations so constituted should be subject to capture, might well be adopted.

WAREHOUSEMEN — WAREHOUSE RECEIPTS — LIABILITY FOR FRAUDULENT ISSUANCE BY AGENT: EFFECT OF UNIFORM WAREHOUSE RECEIPTS ACT. — The general manager of a warehouse, who had no authority to issue receipts except upon receiving goods, issued and sold to the plaintiff warehouse receipts for goods which in fact had never been received. The plaintiff now sues the warehouseman for non-delivery of the goods. *Held*, that he cannot recover. *Rosenberg v. National Dock & Storage Co.*, 218 Mass. 518, 106 N. E. 171.

There has been great conflict of authority concerning the liability of warehousemen upon warehouse receipts issued by agents, without specific authority, for goods which have never been received. See WILLISTON, SALES, § 419. Previous to its adoption of the Uniform Warehouse Receipts Act, Massachusetts took the view that the warehouseman was not liable, on the ground that the agent acted outside the scope of his employment. *Sears v. Wingate*, 3 Allen (Mass.) 103. Section 20 of the uniform law, however, provides that "a warehouseman shall be liable to the holder of a receipt for damages caused by the non-existence of the goods." MASS. STAT. 1907, c. 582, § 21. See MOHUN, WAREHOUSEMEN, 2 ed., p. 7. The principal case decides that this provision has made no change in the law. It seems impossible to quarrel with this conclusion, no matter what one may think of the soundness of the position previously taken. The statute was not intended to alter the several rules of agency conceived to be applicable to the case. Its words receive their full meaning as a definition of the warehouseman's liability when a receipt is issued with authority. To the purchaser of a receipt fraudulently issued by an agent the statute gives no additional protection, for he is not even a "holder of a receipt" within the meaning of § 58 of the uniform law.

WILLS — CONSTRUCTION — CONDITION FOR FORFEITURE IN CASE OF CONTEST BY LEGATEE. — A testator provided in his will that if any person named in the will should dispute its validity, his legacy should fall into the residue. A legatee unsuccessfully attempted without reasonable grounds to probate an invalid will. She now petitions for payment of the legacy. *Held*, that the legacy is forfeited. *In re Kirkholder's Estate*, 149 N. Y. Supp. 87 (Surr. Ct., Erie County).

The American authorities in regard to conditions providing for the forfeiture of the gift to a beneficiary who contests the will, tend to discard any requirement of a gift over, and to make no distinction between real and personal property. See 2 REDFIELD, WILLS,* 298; 25 HARV. L. REV. 745. But the validity of such conditions is still much in dispute. On this broader question, some jurisdictions hold that even a contest on reasonable grounds works a forfeiture. *Smithsonian Institute v. Meech*, 169 U. S. 398; *In re Miller's Estate*, 156 Cal. 119, 103 Pac. 842; *Moran v. Moran*, 144 Ia. 451, 123 N. W. 202. Others, however, will not permit a reasonable contest to forfeit the gift, because of